

PUBLIC WORKS & PLANNING COMMITTEE

February 2, 2010

6:00 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jim Daniel
Commissioner Trey Gooch
Commissioner A. Johnson
Commissioner Allen McAdoo
Commissioner Mike Sparks
Commissioner Ronald Williams
Commissioner Joe F. Jernigan, C

OTHERS PRESENT:

Ernest Burgess David Jones
Doug Demosi Steve Sandlin
Mac Nolen Becky Shelton

Chairman Jernigan presided and called the meeting to order at 6:00 p.m. with all members being present at that time.

MINUTES:

"Commissioner A. Johnson moved, seconded by Commissioner Daniel, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

BUILDING CODES REPORT:

David Jones presented the Building Codes report for the use and information of the Committee. Following discussion,

"Commissioner A. Johnson moved, seconded by Commissioner Williams, to approve the Building Codes report as presented. This motion passed unanimously by acclamation."

PLANNING COMMISSION REPORT:

Doug Demosi presented the subdivision lot inventory, vision statement and goals and objectives of the Comprehensive Plan, 2009 Work Schedule Report and 2010 Work Schedule for the use and information of the Committee. Following discussion,

"Commissioner Williams moved, seconded by Commissioner A. Johnson, to approve the Planning Commission report as presented. This motion passed unanimously by acclamation."

Commissioner Williams next wanted an update on the expansion of the rock quarry without discussion of the pending litigation asking where is it in Court and why are we in Court. Mayor Burgess advised it is in Court because the County is unclear which Zoning Resolution is in control to make a final decision and the County is asking the Court to help define which Zoning Resolution to use. Commissioner Williams inquired would it be prudent to address other issues since the litigation is expensive and to look at other points because the matter is in Court over only one point. Mayor Burgess cautioned to use discretion in any discussion to not hamper the litigation and suggested Commissioner Williams meet with himself and the County Attorney to discuss his questions on how to proceed and not discuss in an open meeting. Commissioner Williams advised he did not see why the issues not in Court couldn't be addressed. Mayor Burgess advised he would want to err on the side of caution under the circumstances. Mayor Burgess advised it is a difficult and complex case because the rock quarry has not been operating under normal processing procedures but under a Court decision. Mayor Burgess advised the matter has been researched back to 1982 and there has not been a good way to track precisely. The Court file has also been researched.

Commissioner Sandlin suggested a letter be sent to the person who wrote the complaint explaining the situation. Mayor Burgess advised a letter could be written but it would not have any specifics. Mayor Burgess to write a letter to the person who wrote the complaint with the County Attorney to review the letter.

Commissioner Johnson suggested holding an Executive Session at the next Commission based on the questions presented tonight with an explanation by the County Attorney so everyone could hear the same thing to potentially shorten the time in Court. Mayor Burgess advised it would be good to have Commissioner Williams specific issues before the Executive Session so the attorney could research the matter and have answers. Chairman Jernigan advised the matter was still being researched so the attorney is not ready to give an opinion.

Commissioner McAdoo advised it seemed more feasible for Commissioner Williams to meet with the County Attorney to discuss the questions so the attorney has specific issues to discuss. Following discussion,

"Commissioner A. Johnson moved, seconded by Commissioner R. Williams, to hold an Executive Session to answer questions on the rock quarry at the next Commission. This motion passed unanimously by roll call vote."

CONVENIENCE CENTERS REPORT AND LANDFILL REPORT:

Mac Nolen presented the Convenience Centers report and Landfill report for the use and information of the Committee. Following discussion,

"Commissioner Gooch moved, seconded by Commissioner Daniel, to approve the Convenience Centers and Landfill report as presented. This motion passed unanimously by acclamation."

Mr. Nolen next advised Middle Pointe representatives advise of an expected life expectancy for the landfill of 16 to 17 years and that the City of Murfreesboro and Rutherford County get a benefit of \$4,234,000 per year for trash disposal. In addition, Rutherford County receives approximately \$900,000 in host fees.

Mr. Nolen next provided information on what it costs to run the front loader system as well as information on the cost to service City schools, County schools and County general buildings. The City schools cost \$44,548 per year representing 3% of Mr. Nolen's total budget. The City of Murfreesboro solid waste budget is \$5,000,000 and the brush budget is \$3,300,000.

Mr. Nolen advised Rutherford County has more convenience centers than required by State law and that if the County had to handle the City of Murfreesboro trash his budget would more than double. Mr. Nolen also provided information on the cost to operate the convenience centers.

Mr. Nolen advised it was his opinion to better serve Smyrna the Leanna Convenience Center needed to be moved and leave the Weakley Center as is because if the Weakley Center is moved it may get too big to manage. Commissioner Sparks advised the current Weakley site is valuable and the County has a location to move to that could handle the traffic back up. Mayor Burgess advised the Weakley location is valued at \$450,000. Mr. Nolen advised to relocate the center would cost in excess of \$100,000. Chairman Jernigan advised the Weakley site is too busy and Commissioner Sparks advised it is an eyesore. Chairman Jernigan advised the County does not have the money to relocate the site but if Smyrna wanted to help then they could discuss

the same. Commissioner Johnson questioned spending money on turning lanes if the center would potentially be relocated. Mayor Burgess advised the issue on the table is response from Smyrna and LaVergne on recurring costs of trash pick up and when will they help. Other convenience centers pale in comparison to the cost of Smyrna and LaVergne. If the site is improved, there is no incentive for Smyrna or LaVergne to help. Mayor Burgess advised the capital cost is not a problem but does the County want to increase what it is handling. Chairman Jernigan advised Smyrna and LaVergne have their own governments and they are not going to let the County make their decisions. Although the County is trying to make Weakley better no one knows what the future holds. Mayor Burgess advised he would hold another meeting with the Smyrna and LaVergne officials.

HIGHWAY DEPARTMENT REPORT:

Chairman Jernigan presented a speed limit request of 30 mph for Crescent Road which has been approved by the Sheriff's Department and Highway Commission. Following discussion,

"Commissioner Williams moved, seconded by Commissioner Daniel, to approve the speed limit request of 30 mph for Crescent Road. This motion passed unanimously by acclamation."

There appearing to be no further business to come before the Committee, Chairman Jernigan declared the meeting adjourned at 7:38 p.m.

JOE FRANK JERNIGAN, Chairman